

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

**SANDRA KAYE PIERSON AND  
GEORGE WESLEY PIERSON,**

**PLAINTIFFS,**

**VS**

**THE GOODYEAR TIRE &  
RUBBER COMPANY,**

**DEFENDANTS.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Case No.: 7:16-cv-01600-LSC**

**AMENDED COMPLAINT**  
**STATEMENT OF THE PARTIES**

1. Plaintiff Sandra Kaye Pierson is a resident citizen of Bibb County, Alabama and is over the legal age of nineteen (19) years.
2. Plaintiff George Wesley Pierson is a resident citizen of Bibb County, Alabama and is over the legal age of nineteen (19) years.
3. Defendant The Goodyear Tire and Rubber Company, hereinafter referred to as Defendant “Goodyear”, is a foreign corporation that does business in Bibb County, Alabama.

## **STATEMENT OF THE CASE**

4. On June 26, 2015 Plaintiffs Sandra Kaye Pierson and George Wesley Pierson were traveling eastbound on US 82 near the border of Tuscaloosa County and Pickens County, Alabama.
5. Plaintiff George Wesley Pierson was operating a 2000 Ford F350 4x4 Supercab. Plaintiff Sandra Kaye Pierson was in the passenger seat.
6. As the Pierson vehicle approached mile post 64.2, the right front tire on the vehicle separated causing a one vehicle collision.
7. The front right tire was a Goodyear Wrangler Silent Armor Pro Grade Technology tire with the following identification information:

LT 265/75R16 Load Range E DOT MDW8 35JV 0511
8. As a result of the collision, the Pierson Plaintiffs were injured.

### **COUNT I** **(AEMLD)**

9. Plaintiffs incorporate all of the preceding paragraphs by reference into this count.
10. Defendant Goodyear designed, manufactured, distributed and sold the subject tire. The tire was manufactured in 2011.
11. The Pierson Plaintiffs purchased the subject tire in March of 2012 from T N T Tire and Auto Repair located in Bibb County, Alabama.
12. The subject tire had design and manufacturing defects. Specifically:

- a. The inner liner on the tire had an opening in the splice. This allowed excessive air permeation through the inner liner resulting in premature degradation of the skim stock rubber of the tire. This was a manufacturing defect. This caused and/or contributed to the separation failure.
  - b. Moderate gravel road wear produced holes in the tread rubber that extended into the undertread, the cap ply and steel belt 2. The resulting corrosion caused a marked decrease in the belt adhesion which caused and/or contributed to the separation failure. The failure mode was facilitated by the design in the tread and the minimal undertread, as well as the infiltration of the cap ply into steel belt 2. The tread design used in the subject tire is a design defect, while the inadequate undertread and the infiltration of the cap ply into steel belt 2 are both design and manufacturing defects.
13. As a direct and proximate result of these defects, the Pierson Plaintiffs were injured.

**WHEREFORE THESE PREMISES CONSIDERED** Sandra Kaye Pierson and George Wesley Pierson demand judgment against Defendant Goodyear in an amount to be determined by a struck jury.

**PLAINTIFFS DEMAND A TRIAL BY A STRUCK JURY**

Respectfully submitted,

s/R. Matt Glover  
R. Matt Glover (asb-7828-a43g)  
Prince, Glover & Hayes  
1 Cypress Point  
701 Rice Mine Road North  
Tuscaloosa, Alabama 35406  
Phone: (205) 345-1234  
Fax: (205) 752-6313  
Email: mglover@princelaw.net

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Bianca G. Liston, Esquire  
M. Gary Toole, Esquire  
Paul F. Malek, Esquire

This the 20th day of March, 2017.

s/R. Matt Glover  
Of Counsel